



**Eric Gonzalez**  
District Attorney

**DISTRICT ATTORNEY  
KINGS COUNTY**

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**[INSERT NAME]**  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: **[INSERT CASE NAME]**  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: EDWARD NUSSER**

**MOS TAX: 928879**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

IN MARCH 2009, THE DEPARTMENTAL CHARGES WERE PREFERRED AGAINST MOS EDWARD NUSSER FOR HAVING CONSUMED AN INTOXICANT TO THE EXTENT THAT HE WAS UNFIT FOR DUTY AND FOR OPERATING A MOTOR VEHICLE (1) WHILE UNDER THE INFLUENCE OF AN INTOXICANT; (2) WHILE HIS ABILITY WAS IMPAIRED; AND (3) WHILE UNDER THE INFLUENCE OF ALCOHOL. GUILTY OF THESE CHARGES, MOS NUSSER, AS A PENALTY, FORFEITED ALL TIME, PAY, AND BENEFITS, FOR THE THIRTY DAYS HE HAD BEEN ON SUSPENSION (MARCH 2 - MARCH 31, 2009). IN ADDITION, MOS NUSSER WAS PLACED ON DEPARTMENTAL DISMISSAL PROBATION FOR ONE YEAR, DURING WHICH TIME HE HAD TO MAKE HIMSELF AVAILABLE FOR ALCOHOL BREATH TESTING.

**Disclosure # 2:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 10/03/2007, AGAINST MOS NUSSER:  
ALLEGATION:

1. DEPARTMENT RULE VIOLATION - COMPUTER MISUSE

CASE STATUS: CLOSED ON 07/24/2008

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

**Disclosure # 3:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 11/29/2011, AGAINST MOS NUSSER:  
ALLEGATION:

1. TRAFFIC VIOLATIONS BUREAU - COURT NON-APPEARANCE

CASE STATUS: CLOSED ON 02/15/2012

ACTION TAKEN: COMMAND DISCIPLINE ISSUED

**Disclosure # 4:**

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

1. OMAR SMITH V. CITY OF NEW YORK, ET AL, 14-CV-02682 FILED IN THE SOUTHERN DISTRICT OF NEW

YORK

**Disclosure # 5:**

THE NYPD NOTED THE FOLLOWING NON-CONFORMANCE BY MOS NUSSER:  
REGARDING 2017-104266 (5000129445), The analyst did not document the trigger pull analysis properly in the notes.

**Disclosure # 6:**

THE NYPD NOTED THE FOLLOWING NON-CONFORMANCE BY MOS NUSSER:  
REGARDING 2013-012337 (5000030169), The analyst did not include a statement about measurement uncertainty on the report, as required by procedure. The report was amended.

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE  
UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.**

Eric Gonzalez  
District Attorney  
Kings County